

COMBAT PAY AND FOOD STAMPS FAMILIES

Under existing policy, the absent member would not be included as a household member for purposes of determining food stamp benefit level. Additionally, only money actually made available to the applicant or participating food stamp household by the absent family member is counted as income for food stamp purposes.

Money is generally made available to the applicant or participating food stamp household via a direct deposit of all or a portion of the military person's pay into a joint checking account. Occasionally such funds are made available to the applicant or participating food stamp household via an "allotment" arrangement made by the military person for a portion of his or her pay to be sent to the applicant or participating food stamp household. More often than not, when an "allotment" arrangement is made, it is the military person who receives the "allotment" with the bulk of his or her pay being sent directly to his or her family.

Regardless of the arrangement made by the absent family member for his or her military pay, only that portion of his or her pay to which the applicant or participating food stamp household has access should be counted when determining the household's income for food stamp purposes.

As a result of the above noted provision of Public Law 108-477, eligibility workers will now be required to determine if any of the allotment made available to the household by an absent member deployed to a designated combat zone should be excluded when establishing the household's income for food stamp purposes.

See Attachment 1 below for a listing of designated combat zones. Chapter 5 of title 37 includes a long listing of pay items which may or may not be the result of deployment to a designated combat zone. Some of the items more clearly relate to deployment to a combat zone than others, for example, incentive pay for hazardous duty and special pay for duty subject to hostile fire or imminent danger. Other items are more subject to interpretation such as reenlistment bonuses and special pay for occupational skills. See Attachment 2 below for a list of pay items under Chapter 5 of title 37.

DETERMINING COUNTABLE MILITARY PAY

Although State agencies may develop their own approach to implementing the requirements of the new law, we have concluded that the most practical way to do this would be to:

1. First, the eligibility worker would establish what amount for food stamp purposes of the military person's pay that was actually available to the household prior to the deployment of the military person to a designated combat zone.
 - If the military person was part of the household for food stamp purposes prior to deployment this amount would be his or her net military pay.
 - If the military person was not part of the household for food stamp purposes prior to the military person's deployment to a designated combat zone, this amount is the amount the absent military person actually made available to the family prior to deployment to the designated combat zone.
2. Next, the eligibility worker would determine the amount of his or her military pay that the absent member deployed in a designated combat zone is **currently** making available to his or her family.

- If the amount of his or her military pay that the absent member deployed in a designated combat zone is currently making available is equal to or less than the amount the household was receiving from the military person prior to deployment to a designated combat zone, *all of the allotment would be counted as income to the household for food stamp purposes.*

Any portion of the amount that exceeds the amount the household was receiving prior to deployment of the military person to a designated combat zone should be excluded when determining the household's income for food stamp purposes.

LEAVE AND EARNINGS STATEMENTS (LES)

In regard to documenting the deployed person's income and location, our contacts with the military indicate that the deployed person's military pay record, the Leave and Earnings Statement (LES), is often sent directly to the family back home or can be mailed to the family back home by the deployed person.

When the family back home has the LES, it will identify combat pay if it is being received and can be used to establish deployment to a combat zone and the amount of combat pay. Deployment to a combat zone can also be established through orders issued to the military person. Frequently, entire units are deployed and the place of their deployment is a matter of public record.

While specific arrangements can vary among the services and from base to base, applicant or participating households have various ways to obtain the pay information of the deployed person. Some have access via the web. Others can seek assistance via the local base financial office.

Click on the link to access LES for participants via the web: <http://www.dod.mil/dfas/>

ATTACHMENT 1:

What geographic areas are considered combat zones?

Combat zones are designated by an Executive Order from the President as areas in which the U.S. Armed Forces are engaging or have engaged in combat. There are currently three such combat zones (including the airspace above each):

- Arabian Peninsula Areas, beginning Jan. 17, 1991 -- the Persian Gulf, Red Sea, Gulf of Oman, the part of the Arabian Sea north of 10° North latitude and west of 68° East longitude, the Gulf of Aden, and the countries of Bahrain, Iraq, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates.
- Kosovo area, beginning Mar. 24, 1999 -- Federal Republic of Yugoslavia (Serbia and Montenegro), Albania, the Adriatic Sea and the Ionian Sea north of the 39th Parallel.
- Afghanistan, beginning Sept. 19, 2001.

Public Law 104-117 designates three parts of the former Yugoslavia as a Qualified Hazardous Duty Area, to be treated as if it were a combat zone, beginning Nov. 21, 1995 -- Bosnia and Herzegovina, Croatia, and Macedonia.

In addition, the Department of Defense has certified these locations for combat zone tax benefits due to their direct support of military operations, beginning on the listed dates:

In support of Operation Enduring Freedom (Afghanistan combat zone):

- Pakistan, Tajikistan and Jordan - Sept. 19, 2001
- Incirlik Air Base, Turkey - Sept. 21, 2001 through Dec. 31, 2005
- Kyrgyzstan and Uzbekistan - Oct. 1, 2001
- Philippines (only troops with orders referencing Operation Enduring Freedom) - Jan. 9, 2002
- Yemen - Apr. 10, 2002
- Djibouti - July 1, 2002
- Somalia - Jan. 1, 2004

In support of Operation Iraqi Freedom (Arabian Peninsula Areas combat zone):

- Turkey - Jan. 1, 2003 through Dec. 31, 2005
- Israel - Jan. 1 through July 31, 2003
- the Mediterranean Sea east of 30° East longitude - Mar. 19 through July 31, 2003
- Jordan - Mar. 19, 2003
- Egypt - Mar. 19 through Apr. 20, 2003

ATTACHMENT 2:

CHAPTER 5—SPECIAL AND INCENTIVE PAYS

Release date: 2003-05-29

• § 301. Incentive pay: hazardous duty • § 301a. Incentive pay: aviation career • § 301b. Special pay: aviation career officers extending period of active duty • § 301c. Incentive pay: submarine duty • § 301d. Multiyear retention bonus: medical officers of the armed forces • § 301e. Multiyear retention bonus: dental officers of the armed forces • § 302. Special pay: medical officers of the armed forces • § 302a. Special

pay: optometrists • § 302b. Special pay: dental officers of the armed forces • § 302c. Special pay: psychologists and nonphysician health care providers • § 302d. Special pay: accession bonus for registered nurses • § 302e. Special pay: nurse anesthetists • § 302f. Special pay: reserve, recalled, or retained health care officers • § 302g. Special pay: Selected Reserve health care professionals in critically short wartime specialties • § 302h. Special pay: accession bonus for dental officers • § 302i. Special pay: pharmacy officers • § 302j. Special pay: accession bonus for pharmacy officers • § 303. Special pay: veterinarians • § 303a. Special pay: health professionals; general provisions • § 303b. Waiver of board certification requirements • § 304. Special pay: diving duty • § 305. Special pay: hardship duty pay • § 305a. Special pay: career sea pay • § 306. Special pay: officers holding positions of unusual responsibility and of critical nature • § 306a. Special pay: members assigned to international military headquarters • § 307. Special pay: special duty assignment pay for enlisted members • § 308. Special pay: reenlistment bonus • [§ 308a. Repealed.] • § 308b. Special pay: reenlistment bonus for members of the Selected Reserve • § 308c. Special pay: bonus for enlistment in the Selected Reserve • § 308d. Special pay: enlisted members of the Selected Reserve assigned to certain high priority units • § 308e. Special pay: bonus for reserve affiliation